

UNITED STATES DISTRICT COURT

for the
Eastern District of Wisconsin

In the Matter of the Search of:

INFORMATION ASSOCIATED WITH FACEBOOK
USER IDENTIFICATION NUMBER 100000963750382
STORED BY PREMISES CONTROLLED BY
FACEBOOK OF MENLO PARK, CALIFORNIA

Case No.

17-938 m (N)

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property:

See Attachment A

located in the Eastern District of Wisconsin, there is now concealed:

See Attachment B

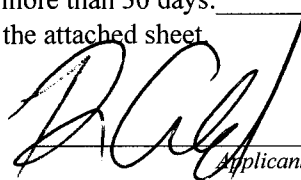
The basis for the search under Fed. R. Crim P. 41(c) is:

- ☒ evidence of a crime;
- ☒ contraband, fruits of crime, or other items illegally possessed;
- ☒ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to violations of: 18 U.S.C. 371, 18 U.S.C. 922(a)(6), 18 U.S.C. Section 922(g), 18 U.S.C. 922(d)(9), 18 U.S.C. 922(a)(6) and 21 U.S.C. 841(a)(1)

The application is based on these facts: See attached affidavit.

☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

Special Agent Ryan Arnold, ATF

Printed Name and Title

Sworn to before me and signed in my presence:

Date: October 16, 2017



Judge's signature

City and State: Milwaukee, Wisconsin

Honorable Nancy Joseph

, U.S. Magistrate Judge

Printed Name and Title

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

I, Ryan Arnold, being first duly sworn, hereby depose and state as follows:

I. INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of an application for a search warrant for information associated with a certain Facebook user ID that is stored at premises owned, maintained, controlled, or operated by Facebook, a social networking company headquartered in Menlo Park, California. The information to be searched is described in the following paragraphs and in Attachment A. This affidavit is made in support of an application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A) to require Facebook to disclose to the government records and other information in its possession, pertaining to the subscriber or customer associated with the user ID.

2. It is believed that the information associated with Facebook User ID 100000963750382, Facebook Username: "Damo Cash" may contain evidence of violations of 18 U.S.C. 371 (conspiracy to sell or transfer firearms to prohibited persons), 18 U.S.C. 922(a)(6) (any person in acquisition of any firearm knowingly furnish a false written or oral statement intended to deceive the dealer), 18 U.S.C. Section 922(g) (possession of firearm by a prohibited person, drug user), 18 U.S.C. 922(d)(9) (sale or transfer of firearm to a prohibited person), 18 U.S.C. 922(a)(6) (false statement as to material fact to FFL), 21 U.S.C. 841(a)(1) (manufacture, dispense, disperse a controlled substance). As a result, a request is submitted for a search warrant to review

information associated with the aforementioned Facebook User IDs. The information to be searched is described in the following paragraphs and in Attachment A.

3. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and have been since April 2015. As an ATF Special Agent, I have participated in numerous investigations regarding the unlawful possession of firearms by convicted felons. I have also conducted investigations related to the unlawful use of firearms, firearms trafficking, drug trafficking, and arson.

4. Prior to my employment with ATF, I was a Special Agent with the United States Secret Service (USSS) for approximately 5 years. My duties included providing and planning dignitary protection, drafting and executing Federal search warrants, investigations of organized crime networks, investigations of threats against USSS protectees, fraud networks, counterfeit currency investigations, and other financial crime investigations.

5. Previous to my tenure with the USSS, I served as a police officer with the Chicago, Illinois, Police Department (CPD). During part of my career as a CPD Officer, I was assigned to the Organized Crime Division-Gang Enforcement Unit. My responsibilities included the investigations of street gangs, narcotics distribution, firearms violations, robbery, home invasions, operating in an undercover capacity, and the authoring and execution of search warrants.

6. Furthermore, Your Affiant knows from training and experience it is common for drug users, drug dealers, firearms traffickers, and firearms straw purchasers to communicate via cellular phone through a variety of electronic media. It

also common for firearm traffickers and straw buyers to communicate through cellular phones and electronic media. Many times drug dealers also act as firearms traffickers by utilizing the non-prohibited status (no felony convictions) of drug users to obtain firearms. In turn, these firearms are used by the drug trafficking organization to protect and secure their goods and territory. The participants in these organizations can use text (SMS) messaging, phone calls, electronic mail, messaging applications, and various social media applications such as Facebook or Twitter.

7. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other investigators and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

II. ITEMS TO BE SEARCHED

8. The Facebook pages belonging to Damien Powell, AKA Damo Cash, herein described as a personal website that is accessed with a username and password specific only to that page and further described in Attachment A. The following Facebook Page URL, Facebook Usernames, and associated Facebook Identifications Numbers:

9. <https://www.facebook.com/damo.cash.7> Facebook Username: Damo Cash, Facebook User ID: 100000963750382.

10. The applied-for warrant would authorize the search and recovery of evidence particularly described in Attachment B.

III. PROBABLE CAUSE

11. Your Affiant learned of possible violations of 18 U.S.C. § 371 (conspiracy to sell or transfer firearms to prohibited persons), 18 U.S.C. § 922(g) (possession of firearm by prohibited person), 18 U.S.C. § 922(d) (sale or transfer of firearm to a prohibited person), 18 U.S.C. § 922(a)(6) (false statement as to material fact to FFL), 21 U.S.C. § 841 (a)(1) (manufacture, dispense, disperse a controlled substance) after Affiant reviewed the ATF eTrace database and discovered unusual activity connecting Chicago, Illinois and Fond du Lac, WI through traced firearms. Affiant knows from information published by the ATF's Violent Crime Analysis Branch (as of June 16, 2016) the national average time for a gun to be recovered in a crime by law enforcement after the original purchase date is 10.48 years (also known as "time to crime"). Additionally, the average time to crime of firearms in Illinois is 11.81 years and 8.18 years in WI. Affiant discovered several people from the Fond Du Lac area who received firearms from Federal Firearms Licensees (FFLs) in the Eastern District of Wisconsin that were later recovered in crimes in the Chicago area; the time to crime was smaller than the average time to crime. In particular, firearms purchased by Justin Norton, Michael Ackley, Corey Donaldson, Michael Warner, Timothy Grossman, and Nicholas Devries, Sr., were ultimately recovered by law enforcement in or near the west side of Chicago.

12. Affiant knows from training and experience that a short time to crime can be an indicator of firearms trafficking. Furthermore, Affiant also knows from training and experience that WI is a source state for firearms trafficked to Chicago. It common for firearms to be purchased at FFLs by "straw buyers" to later be exchanged for

money, illegal drugs, or other goods. A "straw buyer" is terminology used to describe a subject who purchases a firearm with the intent to provide the firearm to a second individual who is often prohibited from purchasing or possessing firearms. The transaction is usually described as a "straw purchase." The "straw purchase" is typically performed to conceal the identity of the true possessor of the firearm.

13. Affiant also discovered that a portion of the traced firearms that I was investigating linked to firearm recoveries in Chicago and to gang members from the following gangs: Four Corner Hustlers, Vice Lords, and Gangster Disciples. Additionally, many of these firearms were recovered in a similar geographic location on the west side of Chicago where the above gangs are known to operate. Your Affiant knows that the aforementioned gangs are some of the largest street gangs in Chicago. Additionally, Affiant knows from training and experience that the Four Corner Hustlers and Vice Lords are historically allied and are aligned under the People Nation alliance. Therefore, it is not uncommon for the two gangs to operate in concert.

14. Your Affiant knows from training and experience that geographic redundancy can be a strong indication of firearms trafficking. To illustrate, when firearms originate from a concentrated geographic location and are recovered by law enforcement in a second concentrated geographic location, this can be indicator of an organized, illegal firearms trafficking organization. In this instance, Affiant has identified numerous firearms purchased by residents in the Fond du Lac area that have been recovered on the west side of Chicago and the near western suburbs.

15. Your Affiant also knows from training and experience that the movement of the firearms over numerous jurisdictions is a common strategy utilized by criminal organizations to avoid detection by law enforcement and any subsequent investigations. Furthermore, the movement of firearms over a vast distance can also be indicative of an illegal drug trade route. Affiant knows that drug trafficking organizations will often capitalize from their expansive connections throughout the United States to accumulate weapons from a variety of states, that are purchased by a variety of subjects, and transport them back to the center of operations. This also aids in complicating the efforts of law enforcement.

FIREARMS RELATED TO JUSTIN NORTON

16. During the review of suspicious firearm traces, Affiant and other agents discovered that Justin Norton (DOB: 07/15/1988) of Fond du Lac, WI, purchased at least ten (10) firearms during 2016. These firearms were transferred from FFLs Mills Fleet Farm located at 629 Rogersville Road, Fond du Lac, WI and Midwestern Shooter's Supply located at 191 Church Street, Lomira, WI. Of these firearms purchased by Norton, the following four (4) were recovered on the west side of Chicago:

- **Firearm 1:** Springfield model XD, 9mm pistol displaying serial number XD824759 transferred to Norton on 08/25/2016 (herein referred to as Firearm 1)
- **Firearm 2:** Smith & Wesson, model SD40VE, .40 caliber pistol displaying serial number FXT4223 transferred to Norton on 08/16/2016 (herein referred to Firearm 2)

- **Firearm 3:** Glock, model 23, .40 caliber pistol, displaying serial number BBTE120, transferred to Norton on 05/14/2016 (herein referred to Firearm 3)
- **Firearm 4:** a Ruger SR9, 9mm pistol, displaying serial number 335-73237, transferred to Norton on 09/10/2016 (herein referred to as Firearm 4).

FIREARM 1

17. On October 17, 2016, Firearm 1 was recovered by the Chicago Police Department (CPD) at 1524 N. Lawler Avenue, Chicago. CPD recovered the firearm after a parole officer was provided information that Firearm 1 was located in a garbage can near the above address. This recovery occurred 50 days after it was purchased by Norton in WI.

18. Subsequent to the recovery of Firearm 1, CPD tested Firearm 1 and entered it into the Integrated Ballistics Identification System (IBIS) to determine if it could be linked to other criminal incidents. CPD was able to utilize the IBIS testing to correlate Firearm 1 to the following incidents:

- i. **Incident 1 for Firearm 1** (CPD Report No. HZ420453): On September 4, 2016, CPD recovered ten (10) expended, 9mm Luger casings after responding to a shots fired call that resulted in the arrest of Cortaz L. Gibson (black/male/DOB: 10/02/1991 - Four Corner Hustler) at 4906 W. Crystal Street, Chicago, IL. The above 9mm casings were correlated through IBIS to Firearm 1.

- ii. **Incident 2 for Firearm 1** (CPD Report No. HZ465660): On October 07, 2016, CPD responded to a "Person Shot" call at 5417 W. North Avenue, Chicago, IL. Lexie Pollards (DOB: 10/09/1989 - Mafia Insane Vice Lord) was struck by a bullet fired from a Lincoln Mark VIII automobile. CPD recovered seven (7) 9mm casings near the scene. These casings were correlated through IBIS to Firearm 1.
- iii. **Incident 3 for Firearm 1** (CPD Report No. HZ474072): On October 14, 2016, CPD responded to a shots fired call at 1635 N. Austin Avenue, Chicago, IL, and recovered five (5), expended 9mm rounds. These casings were correlated through IBIS to Firearm 1.

19. Due to the above correlations through testing, the new time to crime from the purchase of Firearm 1 in WI until its first documented use in a crime was ten (10) days. Additionally, all the above incidents occurred within the boundaries of the 25th District of CPD on the west side of Chicago.

FIREARM 2

20. On December 13, 2016, Firearm 2 was recovered by CPD at 1545 S. Christiana Avenue, Chicago, Illinois in the 10th District. CPD recovered the firearm during the arrest of Derrick Watkins (DOB: 08/06/1989 - Traveling Vice Lord) for possession of firearm by felon. This recovery occurred on the near, west side of Chicago.

FIREARM 3

21. On February 22, 2017, CPD recovered Firearm 3 during the arrest of convicted felon, Jason Spinks (DOB: 06/11/1983-Four Corner Hustler), at 3859 W. Division Street, Chicago while operating a vehicle owned by Jessica Rodriguez. A database search revealed that Rodriguez had links to addresses in Chicago and Fond du Lac. Rodriguez linked to 5233 W. Crystal Avenue, Chicago, which is located in the 25th District of Chicago on the west side of the city. Rodriguez also linked to 96 E. 2nd Street, Fond du Lac. This arrest occurred within the boundaries 25th district of CPD on the west side of Chicago.

22. After Firearm 3 was recovered by CPD, it was submitted for IBIS testing to determine if there were any correlation to Firearm 3 from previous incidents. IBIS testing determined the following correlated incidents:

- i. **Incident 1 for Firearm 3** (CPD Report No. HZ330036): On June 30, 2016, CPD responded to a person shot call at 5226 W. LeMoyne Street, Chicago. The victim explained that a black male with dreadlocks discharged a firearm striking her in the wrist and forearm. CPD recovered seven (7) spent 40 caliber shell casings correlated to Firearm 3, one (1) spent 9 mm shell casings from a second firearm, and four (4) spent .40 caliber shell casings from a third firearm.
- ii. **Incident 2 for Firearm 3** (CPD Report No. HZ501395): On November 03, 2016, CPD responded to a criminal damage to

vehicle call at 1235 N. Lockwood Avenue, Chicago. Upon arrival, officers observed that the victim's vehicle was struck by gunfire. CPD recovered one (1) spent .40 caliber cartridge casing correlated to Firearm 3, sixteen (16) expended .40 caliber cartridge casings from a second firearm, and fourteen (14) expended .45 caliber cartridge casings from a 3rd firearm.

23. Due to the above IBIS correlations, the new time to crime for Firearm 3 is approximately 47 days from its purchase in WI. The above incidents occurred on the west side of Chicago.

FIREARM 4

24. On July 3, 2017, CPD arrested a juvenile for aggravated battery with a firearm (Firearm 4). This incident occurred on a previous date at 5357 W. Division Street, Chicago, IL. During the arrest the suspect fled from CPD and discarded Firearm 4. The firearm had an obliterated serial number but was able to be interpreted by law enforcement.

25. After Firearm 4 was recovered by law enforcement it was submitted for IBIS testing to determine if there were any correlation to Firearm 4 from previous incidents. IBIS testing determined the following correlated incident:

- **Incident for Firearm 4** (CPD Report JA287336): On June 1, 2017, L.M. suffered two (2) gunshot wounds to his/her thigh after he/she observed the passenger of a black Nissan Maxima exit the

vehicle and fire rounds in his/her direction. The time to crime for the above firearm was approximately 264 days from this incident.

26. Affiant noted that the above shots fired and persons shot incidents each occurred within the boundaries of the 25th and 15th Districts of CPD. Additionally, the above firearms were recovered by CPD in the 10th, 11th, and 25th Districts of CPD. These districts geographically adjoin in a consecutive fashion and are located on the Chicago's west side. These recoveries occurred in a small geographic area of Chicago.

REVIEW OF ATF FORM 4473S FOR NORTON

27. ATF Special Agent Ryan Arnold reviewed Norton's ATF Form 4473s, which are firearm transactions records, and discovered several telephone numbers written on the forms. SA Arnold knows from experience this is common practice for FFLs to write the telephone number of the customer on the ATF Form 4473. The following numbers were observed on Norton's 4473s forms:

- 920-204-8175
- 920-375-0336
- 920-204-9364
- 920-333-1938

FIREARM ASSOCIATED WITH CORY W. DONALDSON

28. On January 12, 2016, Cory W. Donaldson (DOB: 06/03/1990) purchased a Ruger, model SR9C, 9mm pistol, displaying serial number 336-45829 (herein referred to as **Firearm 5**) from FFL Mills Fleet Farm, 629 Rogersville Road, Fond du Lac, WI.

29. On August 14, 2016, CPD arrested Vester Ward (DOB: 06/25/1992, Four Corner Hustler) at 1548 N. Le Claire Avenue, Chicago, after they observed Ward in possession of Firearm 5. CPD officers recovered Firearm 5 and placed Ward into custody for violations of Illinois State Statute 720 ILCS 5.0/24-3.1-A-1, Unlawful Possession of Handgun. This firearm was recovered in the 25th District of CPD 214 days after it was purchased by Donaldson in WI.

30. Subsequent to the arrest, Firearm 5 was submitted for IBIS testing. As a result, the following incidents were correlated to the Firearm 5 being transferred to Donaldson:

- i. **Incident 1 for Firearm 5** (CPD Report No. HZ278908): On May 25, 2016, CPD responded to 1232 N. Lockwood Avenue, Chicago for a call of shots fired. Upon arrival, CPD found a victim who had suffered four (4) gunshot wounds to the right leg and groin. On scene, CPD recovered thirteen (13) expended 9 mm cartridge casing that were correlated via IBIS to Firearm 5. This makes the new time to crime for Firearm 5 approximately 81 days.
- ii. **Incident 2 for Firearm 5** (CPD Report No. HZ322726): On June 25, 2016, CPD responded to a call of criminal damage to property at 4934 W. Potomac Avenue, Chicago. Officers found that a vehicle had sustained damage from gunshots.

On scene, CPD recovered eleven (11) expended 9mm cartridge casings that correlated via IBIS to Firearm 5.

- iii. **Incident 3 for Firearm 5** (CPD Report No. HZ353014): On July 17, 2016, CPD responded to a shots fired call at 5010 W Hirsch Street, Chicago to multiple shots fired. No victims or suspects were found. On scene, CPD recovered three (3) expended 9mm cartridge casings correlated via IBIS to Firearm 5. Also recovered were two (2) expended .45 caliber cartridge casings from a second firearm, thirteen (13) expended 9mm cartridge casings from a third firearm, and twenty-five (25) expended 9mm cartridge casings from a fourth firearm.

31. Your Affiant reviewed the Firearm 5 recovery and above incidents with and discovered they all occurred within the 25th District of CPD on the west side of Chicago.

32. Your Affiant reviewed the ATF Form 4473 for Firearm 5 and discovered that Donaldson provided a home address of W6824 Blue Heron, Boulevard, Apartment #2, Fond du Lac, WI.

FIREARMS ASSOCIATED WITH MICHAEL R. ACKLEY

33. During the review of firearm traces, Affiant discovered that Michael R. Ackley (DOB: 09/08/1986) of Fond du Lac, WI, purchased at least ten (10) firearms from FFLs Mills Fleet Farm, 629 Rogersville Road, Fond du Lac, WI and Midwestern

Shooter's Supply, 191 Church Street, Lomira, WI, between 2012 and 2014. Of these firearms purchased by Ackley, the following five (5) were recovered in or nearby Chicago.

34. **Firearm 6:** Ruger, model SR40C, .40 caliber pistol displaying serial number 343-37215, transferred to Ackley on 09/20/2012 from Midwestern Shooters Supply in Lomira, WI. Recovered by CPD on 05/22/2016 at 4038 W. Wilcox Street, Chicago with a time to crime of 1340 days. Firearm 6 was recovered in the 11th District of CPD on the west side of Chicago.

35. **Firearm 7:** Century Arms International, model Centurion 39, 7.62 caliber pistol displaying serial number 39CTM01891 transferred to Ackley on 02/23/2014 from Mill's Fleet Farm in Fond du Lac, WI. Law enforcement recovered Firearm 7 on 04/03/2016 at 311 Hyde Park Avenue, Bellwood, Illinois with at time to crime of 770 days. Firearm 7 was recovered by law enforcement during the arrest of Derrick Craddock (DOB: 07/29/1988/Gangster Disciple) and Keshane Eli (DOB: 01/06/1995 – convicted felon) at a residence in Bellwood. During the execution of the search warrant, the entry team observed Eli reach for Firearm 7. Eli listed a home residence of 851 N. Latrobe, Chicago. This address is located in the 15th District of CPD on the west side of Chicago.

36. **Firearm 8:** Glock Model 23 Generation 4, .40 caliber pistol displaying serial number UCW267 purchased by ACKLEY on 01/05/2013 from FFL Midwestern Shooters Supply in Lomira, WI. Recovered by ATF on 08/15/2014 at 114 S. 17th Avenue, Maywood, Illinois, with a time to crime of 587 days. Firearm 8 was recovered in

Maywood during an ATF during a law enforcement controlled buy from James Bryant (DOB: 05/04/1989 – convicted felon). Maywood is a nearby western suburb where street gangs from the west side of Chicago are known to exist and operate. During the operation, James was described by the confidential informant (CI) as a subject who sold firearms in and around the west side of Chicago.

37. **Firearm 9:** Glock Model 23, .40 caliber pistol displaying serial number RDL530 purchased by Ackley on 09/20/2012 from FFL Midwestern Shooters Supply in Lomira, WI. Firearm 9 was recovered by law enforcement on 11/27/2012 at 1150 W. Roosevelt Road, Broadview, Illinois, with a time to crime of 68 days. Firearm 9 was recovered in Broadview, which is a western suburb near the west side of Chicago.

38. **Firearm 10:** Masterpiece Arms, model MPA30T-A, 9mm pistol displaying serial number F13453 transferred to Ackley on 03/25/2012, from Midwestern Shooter's Supply in Lomira, WI. CPD recovered Firearm 10 on 10/09/2012 at 2946 W. Walnut Avenue, Chicago with a 165 day time to crime. Firearm 10 was recovered in the 13th District of CPD during the arrest of convicted felon Kevin McCollum (DOB: 12/31/1976). The 13th district is located on Chicago's near west side.

FIREARM ASSOCIATED WITH MICHAEL WARNER

39. On September 17, 2012, Michael Warner (DOB: 05/11/1964) purchased a Ruger, model SR40, .40 caliber pistol, displaying serial number 342-29385 (herein referred to as **Firearm 11**) from FFL Bill's Sporting Goods located at 724 Main Street, Lomira, WI.

40. On April 4, 2017, Firearm 11 was recovered by CPD from a vehicle at 10 N. Pulaski Road, Chicago during the arrest of Walter Bacon (DOB: 02/08/1993 – convicted felon - Traveling Vice Lord). This arrest occurred in the 11th District of CPD, which is located on the west side of Chicago, IL.

FIREARMS ASSOCIATED WITH NICHOLAS DEVRIES, SR.

41. On June 25, 2015, Nicholas Devries, Sr. (DOB: 07/10/1993) purchased a Taurus model PT845, .45 caliber pistol displaying serial number NIP14669 (herein referred to as **Firearm 12**) from FFL Tuffy's Outpost, 371 N. Main Street, Fond du Lac.

42. On April 4, 2016, CPD recovered Firearm 12 on at 1242 N. Spaulding Avenue, Chicago during the arrest of Tyshawn Terry. The time to crime was 314 days after purchase in WI. The location of recovery for the Firearm 12 occurred in the 15th District of CPD on the west side of Chicago.

FIREARM ASSOCIATED WITH TIMOTHY J. GROSSMAN

43. On April 5, 2012, Timothy Grossman (DOB: 04/02/1991) purchased a Springfield, model XD40, .40 caliber pistol displaying serial number SD503904 (herein referred to as **Firearm 13**) from FFL Mills Fleet Farm in Fond du Lac, WI.

44. On May 08, 2016, CPD recovered Firearm 13 at 130 N. Kostner Avenue, Chicago, IL with a time to crime of 1,494 days. The location of recovery by CPD occurred in the 11th District of CPD on the west side of Chicago.

FIREARM OF RANETTE THREETS

45. On December 6, 2012, a Smith & Wesson, model SD40VE, .40 caliber pistol displaying serial number HEB6729 (**Firearm 14**) was purchased by Ranette Threets at FFL Mills Fleet Farm in Fond Du Lac, WI.

46. Continuing on July 18, 2017, CPD recovered Firearm 14 at 913 N. Lawndale Avenue, Chicago, IL, during the arrest of Jawaun Stamps. Stamps was listed as a Traveling Vice Lord Gang Member. The firearm was recovered with a time to crime of 1,685 days. The location of the arrest was in the 10th District of CPD on the west side of Chicago.

SHAKIE DAVIS' CELLPHONES

45. ATF Special Agents contacted the Fond du Lac Police Department (FDLPD) to inform them about potential straw purchasers in their jurisdiction. During this correspondence, ATF learned about the arrest of Shakie L. Davis for felony drug trafficking. FDLPD Officer Vance Henning informed ATF Special Agent Matthew Mason that subsequent to the arrest of Davis on April 12, 2017, FDLPD obtained a state search warrant to search the contents of Davis' cellphones, which were obtained by local law enforcement during Davis' arrest. The cellphones were recovered from Davis' person during his arrest. Officer Henning further informed ATF that he observed the telephone number 920-204-8175 in each of the Davis' cellphones. This is the same phone number listed on one of Norton's ATF Form 4473 during a firearms transfer. Additionally, Officer Henning relayed that he observed 920-204-9364 in each of Davis' cellphones. This is the known telephone number for Amber L. Schuster (DOB:

08/23/1987) who is known as Norton's former girlfriend. This telephone number was also listed on one of Norton's ATF Form 4473s.

46. Officer Henning explained to ATF Special Agent Mason that he observed a text message in one of Davis' cellphones from telephone number 414-839-8295 (herein referred to as Subject 1) to Davis' cellphone and to Justin Norton's cellphone number 920-375-0336. Davis' cellphone sends a photograph via text message to Subject 1 of a firearm that appears consistent with a Masterpiece Arms, model Defender, 5.7x28mm pistol. The Masterpiece Arms model Defender, 5.7x28mm pistol is a similar design to the Masterpiece Arms, model MPA30T-A, 9mm pistol displaying serial number F13453 transferred to Ackley on 03/25/2012, that was recovered by CPD on the west side of Chicago approximately 165 days after it was purchased by Ackley in WI.

47. Officer Henning also explained to ATF Special Agent Mason that he observed another text message conversation between Davis and Subject 1. On September 18, 2016, Subject 1 sends a text message to Davis' cellphone stating, "Do you have time." Davis cellphone text replies, "what store." Subject 1 responds "Fleet Farm." Davis' cellphone text indicated to Subject 1 that he would travel to Fleet Farm.

48. Affiant knows that Fleet Farm is likely in reference to FFL Mills Fleet Farm located at 629 Rogersville Road, Fond du Lac. A significant portion of the aforementioned firearms in this affidavit were purchased at this Mills Fleet Farm before the recoveries in or near Chicago.

49. ATF Special Agents observed 920-204-8175 in each of the Shakie Davis' cellular phones. This is the same phone number listed on the ATF Form 4473 during a

firearms transfer to Justin Norton. Additionally, agents observed 920-204-9364 in each of Davis' cellular phones. This is the known telephone number of Amber L. Schuster (DOB: 08/23/1987) who is known as a former girlfriend of Norton. This phone number was also listed on the ATF Form 4473s on firearm transfers to Norton.

50. The telephone number 414-839-8295 "GB" provided two contacts to Davis. One contact was for Justin Norton (original purchaser for the aforementioned firearms traces) utilizing telephone number 920-375-0336. Davis sends a photograph via text message to Subject 1 of a firearm that appears consistent with a Masterpiece Arms, model Defender, 5.7x28mm pistol. The Masterpiece Arms model Defender, 5.7x28mm pistol is a similar design to the Masterpiece Arms, model MPA30T-A, 9mm pistol displaying serial number F13453 transferred to Ackley on 03/25/2012, that was recovered by CPD on the west side of Chicago approximately 165 days after it was purchased by Ackley in Wisconsin.

51. Affiant observed a text message conversation between Davis and 414-839-8295 saved in Davis' phone as "GB". "GB" sends a text message to Davis stating, "Nigga its 1052 u got time". Davis replies, "what store" and "GB" responded "Fleet Farm". Davis replied, "Tight Finna buy my ticket den go up dere."

52. Affiant observed a text conversation on December on July 31, 2016, between "GB" 414-839-8295 and Davis that stated the following:

- DAVIS: Yup n I got 250 to a pipe
- "GB": Ok we go 2day
- "GB": Yep

53. Affiant knows from training and experience that “pipe” can be street terminology for a firearm.

54. Affiant observed text messages between Davis and 920-204-8175 (a known number for Justin Norton) from December 5, 2016. Davis texted Norton, “Wen can I go to fleet farm for me”. Then Davis texted “U” in an effort to correct “I” to “U”.

55. Your affiant knows that 708-495-0261 was also saved in Davis’ phone as “GB” and is a telephone number known to FDLPD as belonging to Jonathan Griffin. Affiant believes that “GB” (414-839-8295) is Jonathan Griffin. It appeared that Davis began contacting Griffin on 708-495-0261 on November 12, 2016. Your Affiant knows from training and experience that is common for illegal drug and firearm traffickers to change their phone numbers on a regular basis.

56. FDLPD advised agents that during their investigation they also determined 920-579-6455 was a telephone number used by Jonathan Griffin. Your Affiant observed a text message conversation between Davis and Griffin on February 6, 2017 that stated the following:

- GRIFFIN: I got a mfer wanna trade a glock 21 fa my Shit
- bt ion want it u can trade yo shit if u want to
- GRIFFIN: Take yo stick n yo beam off yo shit

57. Your affiant knows that a Glock 21 is a model of firearm. Additionally, a “stick” is street terminology for a magazine and a “beam” is terminology for a laser sight optic used for targeting a firearm.

58. In addition, Affiant knows that Fleet Farm is likely in reference to FFL Mills Fleet Farm located at 629 Rogersville Road, Fond Du Lac, WI, 54935. A significant portion of the aforementioned firearms in this affidavit were purchased at this Mills Fleet Farm before their recovery in or near Chicago, Illinois.

59. Affiant reviewed the criminal history of Shakie L. Davis and discovered he was a convicted felon for violations of Illinois State Statutes 720 ILCS 570/402-C, Possession of Controlled Substance (Case No. 2012CR059950 - guilty verdict on 04/10/2012).

60. Additionally, the criminal history of Shakie L. Davis listed an address as of February 13, 2017, as 3324 W. Le Moyne Street, Chicago, IL. This residence is located within the 14th District of CPD, which is also on the west side of Chicago.

FACEBOOK EVIDENCE FOR JONATHAN GRIFFIN

61. On June 8, 2017, the Honorable United States Magistrate Judge David E. Jones signed Federal search warrants to review the forensic reports generated by FDLPD for the following cellphones: a black iPhone, Model: A1661, FCC ID: BCG-E3Q87A, IC: 579C-E3087A, associated with Fond Du Lac Police Department (FDLPD) Inventory No. 22 and a blue Verizon Samsung flip phone, Model: SM-B311V, SKU: SMB311VZPP, FCC ID: A3LSMB311V, MEID HEX: A00000475A0080, associated with FDLPD Inventory No. 22. These are the two cellphones are believed to belong to Shakie Davis.

62. A review of the cellphone forensics showed that Shakie Davis' cellphones were used to communicate via Facebook Messenger and the cellphones also received telephone calls from subjects utilizing Facebook to complete these calls.

63. Affiant know that Facebook can be used to complete telephone calls, video chats.

64. Among the callers, Affiant observed Facebook telephone calls from "Moneykid Ttgang Griffin" with Facebook User ID 100011134543692. This Facebook User ID number is consistent with the known Facebook page of Jonathan Griffin. Griffin is believed to be the "owner" of this Facebook page.

65. Affiant also observed a Facebook Messenger contact saved in one of Davis' cellphones as "moneykid jonathan" with Facebook User ID 100000831110613. This Facebook User ID number is also consistent with the information associated with the known Facebook page of Jonathan Griffin.

66. Your Affiant reviewed the Facebook Profile listing username, "moneykid jonathan" Facebook User ID Number 100000831110613 and URL <https://www.facebook.com/crucial.gangbang>. Affiant found images on this Facebook page to be consistent with the appearance of Jonathan Griffin. Griffin appears to be the "owner" of this Facebook page.

67. Affiant reviewed the publicly viewable Facebook Page "Moneykid Ttgang Griffin", Facebook ID 100011134543692. The following Facebook posts were observed:

- On July 24, 2016, a photograph of Jonathan Griffin was posted of him holding an object consistent with a revolver firearm.

"Moneykidd Ttgang Griffin" added the caption, "Ion trust alot niggas so i keep one of my bitches with me 🤪🤪🤪🤪🤪🤪🤪🤪".

- On July 29, 2016, a photograph of a UPS truck and UPS delivery man was posted to the profile. "Moneykid Ttgang Griffin" added the caption, "Fuck ur mop stick bitch 🤪🤪 my drum roll jus came hoe 🤪🤪🤪🤪🤪🤪🤪🤪". Your Affiant knows from training and experience that a "mop stick" can be street slang for an extended magazine. Affiant also knows that a drum roll is street slang for a drum magazine for a firearm that holds more rounds than an extended magazine.
- On July 31, 2016, "Moneykid Ttgang Griffin" Posted a photograph of Jonathan Griffin holding a stack of cash with the caption, "Ready 2 fuck up da game "290herionhighway" Ready 🤪🤪🤪". Affiant knows from training and experience that 290 is a reference to Interstate 290 that runs from downtown Chicago to Interstate 294. The area covered by this interstate includes the Chicagoland locations (including Maywood, IL, and Bellwood, IL) where firearms from Fond Du Lac, WI, were recovered by law enforcement. Additionally, this also covers the area were the "L Block" Vice Lords are known to operate.

68. Based on the Facebook User names and content on the pages, Affiant believes that both “moneykid jonathan” Facebook User ID Number 100000831110613 and Moneykid Ttgang Griffin”, Facebook ID 100011134543692 are Facebook pages that are used by Jonathan Griffin.

69. Your Affiant reviewed the Facebook search warrant results of Profile ID 100011134543692, User ID: Moneykid Ttgang Griffin, URL: <https://www.facebook.com/profile.php?id=100011134543692>, and known to be the profile of Johnathan Griffin. The communications were received pursuant to a Federal search warrant signed by United States Magistrate Judge Nancy Joseph on August 10, 2017.

70. In this Facebook account, Affiant saw numerous conversations consistent with illegal drug sales and firearms trafficking were observed between Griffin and numerous Facebook profiles. Griffin and conversation participants commonly addressed one another as “Lord”, which is a common greeting used among Vice Lord street gang members. Griffin also participated in conversations with subjects who were arrested in Chicago, Illinois, with firearms that were purchased in the Fond Du Lac, WI, area.

71. Griffin communicated with Facebook Username “Gee Spinks” – Facebook ID No. 100002097832497. Some of the communications were regarding the trade of firearms. This is the known Facebook page of Jason Spinks who was arrested with a firearm purchased by Justin Norton in the Fond Du Lac, WI, area (see paragraph 21).

72. Griffin communicated Facebook Username: "Vester Montrell Ward"- Facebook ID No. 100009053514033. This is the known Facebook page of Vester Montrell Ward who was arrested with a firearm purchased by Cory W. Donaldson in Fond Du Lac, WI.

FACEBOOK EVIDENCE FOR DAMIEN POWELL

73. Also during the review of records associated with the Facebook records of Profile ID 100011134543692, User ID: Moneykid Ttgang Griffin, URL: <https://www.facebook.com/profile.php?id=100011134543692>, Affiant observed conversations between "Damo Cash", URL: <https://www.facebook.com/damo.cash.7>, Facebook ID No. 100000963750382. Affiant was able to identify "Damo Cash" as Damien Powell (DOB: 11/07/1986) by comparing FDLPD photographs of Powell with the Facebook photographs of "Damo Cash." Griffin and Powell had numerous communications regarding firearms and illegal drugs. Powell and Griffin also referenced the Fond Du Lac, WI, area in their conversations. Powell is prohibited from owning firearms for the following prohibitive convictions: Aggravated Robbery (felony - convicted 10/02/2007, Chicago, IL), Bail Jumping (felony - convicted 05/09/2014, Kenosha County, WI), Manufacture/Deliver THC within 1000 Feet of a School (convicted – felony, 08/21/2014, Fond Du Lac, WI). The following is a summarization of communications between Griffin and Powell on Facebook:

10-14-2016:

Griffin: Bring da 22

Damien Powell: B e z get off at 6

Damien Powell: I got the 22 on my I'm in Chicago
Already

74. Affiant knows from training and experience that a "22" can be slang for .22 caliber firearm.

10/25/2016:

Griffin: Wat up

Damien Powell: I need u do get that from the store

Griffin: light im go have Shakey take care of it

75. Affiant knows that "Shakey" may be referring to SHAKIE DAVIS (DOB: DOB: 11/15/1994) who is a known associate of Griffin and arrested by the Fond Du Lac Police Department (FDLPD) in 2017. Additionally, Affiant knows from this investigation that "store" has been used to reference Federal Firearms Licensees (FFLs) in the Fond Du Lac, WI, area.

11/07/2016:

Damien Powell: I got somebody who want the 7 but they out here

Griffin: Ok I call shorty now n see where he at n u can go grab it from da hood tonight or 2ma morning

Damien Powell: I'm gone I'm back up top

Damien Powell: Damn

Damien Powell: He got 350 for it

Griffin: He still can get it im not out der

Damien Powell: Aw shit ok bet

Damien Powell: We need to get rid of the MFER ASAP

Damien Powell: That's money for a 40

Damien Powell: 50 more dollars

Griffin: 2 big for mfs n not enough shots

Griffin: Who smoking

Damien Powell: Kenzie n Harrison

Griffin: Wtf u talkin bout

Griffin: Hello

Damien Powell: Fse

Damien Powell: Try to bring the 7 back he want it for sure

Griffin: Nigga how im go do sum n i told u im n fdl mf im goin out der this week for our funeral

Damien Powell: Aw shit bitch lmao

Damien Powell: Link wit me tho

Damien Powell: Get me high bro

Griffin: Nigga dats y said who got smoke

76. Affiant knows that "7" can refer to a Taurus model PT 24/7 firearm and a "40" can refer to a .40 caliber firearm. Additionally, "fdl" is commonly used in reference to Fond Du Lac, WI.

11/11/2016:

Damien Powell: Yooooo

Damien Powell: Link bro

Griffin: Getting rdy

Damien Powell: Slide on me I got dope

77. Affiant knows from training and experience that dope can be slang for a vast variety of illegal drugs or specifically heroin.

11/12/2016:

Damien Powell calls Griffin

Damien Powell: I jusleft fleet farm

Damien Powell: Yoooo link asap

Damien Powell: I got them poles I was talmbouot

Griffin: Yoo

Damien Powell: Wats yo number

Damien Powell makes a phone call

Damien Powell: Call me nigga

Griffin makes phone call to Damien Powell

78. Affiant knows from this investigation that FFL Fleet Farm in Fond Du Lac, WI, is a common location where firearms that have been recovered in and around the west side of Chicago were purchased. Affiant also knows from training, experience,

and this investigation that "poles" is slang for firearms. "Link" is slang for a request to meet with a subject.

11/19/2016:

Damien Powell: Grabb the 7 while out there I need it or dude got buy sum else

Damien Powell: ?????

Damien Powell: U too busy to responde

Damien Powell: Let me know sum

Griffin: Yeah mf my ppl got killed tf

Damien Powell: Smh

Damien Powell: I feel u bro but we still got business yo word is yo bond

Damien Powell: U get me out yo way n u aint gotta worry aboug it

Griffin: All dats cool im n dis field fr. N des my shorties

Damien Powell: Aiight bro sorry for yo lost but dobt forget i gave u 2 pipes a month ago n u have did yo side of the deal not rushing u but i cant be waiting for months

Damien Powell: I barely can get in touch wit u

79. Affiant knows from training and experience that "7" can be a slang term for a Taurus, model PT 24/7 pistol.

11/21/2016:

Damien Powell: I need that gun mfer just jumped me

Griffin: Wya shorty

Damien Powell: Traffic

Damien Powell: My shit fuked

Griffin: Where da fuck u at

Damien Powell: On main

Damien Powell: Oakwood

Griffin: Ok im highway u can use my pipe i get out der and we can go 2 store 2ma jus me da 90 dollars

Damien Powell: Ok

Damien Powell: Thanks bro

Damien Powell: The did ne dirty

Damien Powell: Mfer hit me wit sum in my face

Griffin: (unknown emoji) I got u n when i get bac we finna slide I got big bro nem dey out here til wed

Damien Powell: Bet
Griffin: I hope it wasnt buffy
Damien Powell: Nope he got beat tf up it was breon
Griffin: Hold on wtf is dat
Damien Powell: His bm
Damien Powell makes phone call to Griffin
Griffin: Im goin 2 my crib bro
Griffin: B der bout 20 mins
Damien Powell: Ok
Damien Powell makes phone call to Griffin

12/02/2017:

Damien Powell: Wat up wit this situation wit these pipes bro??? Tell me sum bro it's been a while!!!!
Damien Powell: If u want to keep it jus cash me out
Damien Powell: Lmk sum!!! Mfers went from smoking everyday n linking everyday but now that u got them bogus ass pipes from me u don't answer yo phone or inbox!!! I hope mfers don't have to fall out over these bogus slammers
Damien Powell: Jus give me 300 n we even but I need my pipe or my bread asap
Damien Powell: Wya

12/17/2016:

Damien Powell: U good
Griffin: Yeah teflon wanna talk 2 u (unknown emoji) he said call him asap
Damien Powell: Wyo tho
Damien Powell: Shit cooln
Griffin: Slide on me n da a.m
Damien Powell: Ok I just talked to him
Damien Powell: I got u

12/18/2016:

Damien Powell: Who smoking
Griffin: Bettis from what I no now
Damien Powell: (unknown emoji)
Griffin: (unknown emoji)
Damien Powell: Wyo
Damien Powell sends audio message to Griffin

80. Affiant knows from training and experience that “slammers” is slang for firearms and “bread” is slang for money.

81. Your Affiant knows from this investigation that “Bettis” is likely referring to a known associate named Brandon Bettis.

12/25/2016:

Griffin: Wya

Damien Powell: Crib

Griffin: Imo mw bac 2 town now

Damien Powell: I need u too see if this 40 can take a 30

Griffin: Ok jus send me pic or da name

Damien Powell: Ok

Damien Powell sends a photograph consistent with a subject holding a pistol. The appearance of the subject in the background is consistent with the appearance of POWELL. A second image is sent that is consistent with that of a pistol.

Damien Powell: Could it

Griffin: Yeq

12/26/2016:

Griffin: Wyo

Damien Powell: In da city store move

Damien Powell: I got hoopers for the low

Griffin: When

Damien Powell: Tomorrow

Griffin: Bet htl

82. Affiant knows from training and experience that “htl” is short hand slang for “hit the line”. It is commonly used to tell someone to call on the telephone. Affiant believes “hooper” is referring to a firearm or firearm accessory in this instance.

12/27/2016:

Damien Powell: Yoooo

Damien Powell: U goodie my boa

Griffin: Yoooo

Damien Powell: Wyo

Damien Powell: U know where the loud at

83. Affiant knows from training and experience that "loud" is street slang for marijuana.

02/02/2016:

Damien Powell sends two (2) photographs from IP address 66.87.77.114 (according to <http://www.infosniper.net/> the IP address is located in Chicago, IL) of an image consistent with a firearm with an extended magazine and hollow point and ball ammunition.

Griffin: Hell yeah that bitch nasty

Damien Powell: ON short

Griffin: Get DAT u b stupid not too

Damien Powell: I gotta get there first

Griffin: Tell him to hold it till the snow gone

Damien Powell: I doubt it

Griffin: U finna drive down der

Damien Powell: Idk ima try n get a ride

Griffin: Ask a p

84. Affiant knows from this investigation that "P" is slang for subjects who purchase illegal drugs from this organization.

03/06/2016:

Damien Powell: Inbox yo number

Griffin calls Damien Powell

"Damo Cash call Griffin"

Damien Powell: Wats d nice num

Griffin: 7739699064

Damien Powell calls Griffin

03/07/2016:

Damien Powell: Wats yo number

Griffin: 4148398295

03/14/2016:

Damien Powell: Yoooo

Griffin: Slide on me

Damien Powell: Ok when you think u gone be ready cuz it's sto time

Griffin: Real soon

Griffin: Im go need two jus put it to the side

Damien Powell: When

Damien Powell: U gone need em

Griffin: Htl

85. Affiant believes that "sto" is a misspelling of "store". As previously mentioned, "store" has been used to refer to FFLs in the Fond Du Lac, WI, area.

03/21/2016:

Damien Powell: I got them baskets for u

Griffin: Good looking bro

06/19/2016:

Griffin: Call me

Damien Powell: 17736198369

Damien Powell calls Griffin and sends an audio clip.

Damien Powell: 17736198369 call me I left my phone in da car

07/21/2016:

Damien Powell sends a picture to Griffin of a performance on July 26, 2016, by Damien Powell.

Griffin: Where at

Damien Powell: City Tuesday u can ride wit me

Damien Powell: We coming back Wednesday

Griffin: Yae

Damien Powell: Love broski

Griffin: (unknown emoji)

07/31/2016:

Damien Powell calls Griffin

Damien Powell: Hml bro 17736198369

Damien Powell calls Griffin

Damien Powell: They need more then that Lord
Damien Powell*calls Griffin*

10/04/2016:

Damien Powell: Yooooooo
Griffin: Yoo
Damien Powell: He still ain't get the 7 yet
Griffin: Its at meech house
Damien Powell: Can u still get one for me
Griffin: Yea
Damien Powell: Link tomorrow
Griffin: Yea
Damien Powell: Or when u free
Griffin: We can 2ma

10/07/2016:

Griffin: Got dem(unknown emoji)s
Griffin sends a link with a "status update" to Damien Powell from IP Address 68.177.7.145 (according to <http://www.infosniper.net> this IP Address is located in Fond Du Lac, WI).
Damien Powell: Hml hoe
Griffin calls Damien Powell
Griffin: Damo call asap bro

01/03/2017:

Griffin: Wya
Damien Powell: Cindy
Damien Powell: Fondy u goodie

86. Affiant knows from this investigation that "Fondy" is an abbreviated term for Fond Du Lac, WI, and "Wya" is short hand for "where you at".

01/04/2017

Griffin: Wyo my boa
Damien Powell: Match
Griffin: Buying ammo
Damien Powell: I need a 30
Damien Powell: 40 smith n western sd

Griffin: Ok
Damien Powell: I got licks on em too
Griffin: Yoo
Damien Powell: Wya
Griffin: Soft kit on deck

87. Your Affiant knows from this investigation that a "30" can be referring to a 30 round magazine for a pistol. "Soft" can be street slang for powdered cocaine.

01/29/2017:

Damien Powell: Yoooo
Griffin: Soft kit around
Damien Powell: Yesss sirrr n deal for u 175
Damien Powell: Chunk
Griffin: Bet I got p on da wat from da A right now for one
Damien Powell: Trey 5
Griffin: Way
Damien Powell: Wya
Griffin: Shakey slot cum smoke sum
Damien Powell: Ok

88. Affiant knows that "Shakey" may be referring to SHAKIE DAVIS (DOB: DOB: 11/15/1994) who is a known associate of Griffin and arrested by the Fond Du Lac Police Department (FDLPD) in 2017.

03/10/2017:

Damien Powell: Wya lord
Griffin: Shit finna pop out
Damien Powell: U in da city
Griffin: Hell nawl im not comin out til I get finish dis lick
Damien Powell: Aw okok
Griffin: Wyo out there
Damien Powell: Store
Damien Powell: N turning up fse

89. Affiant knows from training and experience that “lord” is a common term used by Vice Lords to address other Vice Lord gang members. Affiant also knows from training and experience that a “lick” can be slang for a criminal act. “Wyo” is shorthand for what you on. Affiant knows from this investigation that “store” has been referenced as a trip to Federal Firearms Licensees (FFLs) in the Fond Du Lac, WI, area.

03/17/2017:

Damien Powell: I need dope

Griffin: OK bet I got sum

Damien Powell: Where you want me to go

06/15-16/2017

Griffin: Poles 4 sell

Damien Powell: How much

Griffin: Glocks for 7 Draco with drum for 1800 380 rugers with stick

Damien Powell: Too much

Damien Powell I got plugs too on pipes

Griffin: How much

Damien Powell: Rugers Springfields sd's bout \$350

Griffin: Damn

Griffin sends photograph of three suspected firearms from IP Address 66.87.76.88 (according to <http://www.infosniper.net> this IP Address location is Franklin Park, IL).

90. Affiant knows from training, experience, and this investigation that a “stick” is slang for an extended magazine and “plugs” is slang for a source or connection. Affiant also knows that “Rugers” and “Springfields” are types of firearms manufacturers.

06/25/2017:

Griffin sends photograph of a subject holding a suspected firearm

Damien Powell sends a photograph of a subject holding to suspected pistols. The appearance of the subject holding the pistols appears consistent with POWELL.

Griffin: Nice

Damien Powell sends unknown emoji

Griffin: Wat u tryin 2 do

Damien Powell: That's for sell

Griffin: Yea

Damien Powell: How much

Griffin: 540

Damien Powell: Im good

06/30/2017:

Griffin sends photograph of a subject holding a suspected firearm

Damien Powell: How much

Damien Powell sends thumbs up image

THE ARREST OF JONATHAN GRIFFIN ON 08/24/2017

88. On August 24, 2017, the Great Lakes Fugitive Task Force (GLFTF) of the United States Marshal's Service (USMS) located Griffin in the area of 1125 E. 90th Street, Chicago, IL. Griffin used a black, Dodge Durango to strike a USMS team member's vehicle in an effort to escape. During the removal of Griffin from the Dodge Durango, USMS team members observed a firearm in his right side waistband. As the USMS was removing Griffin from the window of his vehicle, Griffin advised the USMS that he had a firearm. The firearm then fell from his waistband. Subsequently, the USMS recovered a Glock, model 17, 9mm pistol displaying serial number CN993US. A custodial search of Griffin revealed thirteen (13), small, knotted bags containing a rock-like substance: suspected crack cocaine and one (1) Apple iPhone. Griffin was placed into custody for a Chicago Police Department Investigative Alert with probable cause to arrest (2017-OSA-291) for the murder of Nikia Betts (shooting incident where three persons were

shot) and an extraditable warrant issued by Fond Du Lac, WI, for manufacturing and delivery of heroin.

INTERVIEWS OF SOI-1 & SOI-2

91. On June 20, 2017, ATF Agents traveled to Fond Du Lac, WI to interview Source of Information 1 (SOI-1). SOI-1 identified Johnathan Griffin (DOB: 10/19/1991) from a Facebook photograph and explained that he was also known as "Fat Lord", "Gangbang" and "GB". SOI-1 advised that he/she knew that associates of Griffin first arrived in Fond Du Lac, WI, in 2009 from Chicago's west side. SOI-1 further explained they came to Fond Du Lac, WI because it was a low-key destination and could make more money from illegal drug sales than they could in Chicago, IL. SOI-1 first met Griffin in 2013 and knew him as crack cocaine dealer. Not long after meeting Griffin, SOI-1 overheard Griffin having a conversation about getting a 9mm firearm to sell in the Fond Du Lac area. SOI-1 stated that he/she has observed Griffin in possession of guns in the past and knows him to carry a gun on his hip. Additionally, Griffin is known as a subject who people seek to obtain guns. SOI-1 also knew that "Shorty" Lamont Stiggler, moved from Chicago, IL, to Fond Du Lac and sold crack cocaine, marijuana, and ecstasy. SOI-1 advised that Stiggler received firearms from Griffin in the past. Additionally, Griffin would get larger quantities of heroin, break it up into smaller quantities, and provide it to Shakie Davis. SOI-1 explained that Griffin is a member of the Vice Lord or Four Corner Hustler street gang. This investigation has revealed that many of the aforementioned firearms purchased in Fond Du Lac area and recovered in Chicago were associated with Vice Lords and Four Corner Hustler street

gang members. SOI-1's information is consistent and credible with the previous investigation and information provided by SOI-2.

92. On June 20, 2017, ATF Agents traveled to Fond Du Lac, WI,, to interview Source of Information Number 2 (SOI-2). SOI-2 informed agents that Jonathan Griffin sold guns in Chicago to make a profit and support the Vice Lord street gang. SOI-2 confirmed that Griffin is a Vice Lord gang member and that he goes by the street moniker, "Fat Lord" and "Gang Bang". SOI-2 advised that he/she participated with Griffin during two separate straw purchases at Mills Fleet Farm in Fond Du Lac. SOI-2 described the first subject as a white male and the second as a black male. During the transaction completed by the black male, SOI-2 was instructed by Griffin to take a photograph with his/her phone of Griffin holding the firearm to be purchased inside the FFL. SOI-2 complied and provided the picture to Griffin who subsequently posted it on his Facebook page. SOI-2 believed that the picture may be clear enough that the firearm's serial number could be observed. SOI-2 informed agents that Griffin had two Facebook pages but was only friends with him on one of the pages. SOI-2 explained that Griffin and other members of the gang use Facebook messenger to logistically organize drug transactions. Furthermore, SOI-2 said that Griffin and other gang members also use Facebook video to have discussions which also included criminal acts. SOI-2's information is consistent and credible with the previous investigation and information provided by SOI-1. SOI 2 explained that Griffin was an associate of Jason Spinks (see paragraph 21) and Vester Ward (see paragraph 29) and Damien Powell sold illegal drugs in the Fond Du Lac, WI, Area.

93. The above examples of conversations, reports, and interviews have led Your Affiant to believe that Jonathan Griffin is involved in the illegal obtainment and distribution of firearms. I respectfully request that the aforementioned Facebook pages be searched in order investigate Damien Powell's Facebook Page for the following crimes:

- 18 U.S.C. 371 (conspiracy to sell or transfer firearms to prohibited person)
- 18 U.S.C. 922(g) (possession of firearm by prohibited person)
- 18 U.S.C. 922(d)(9) (sale or transfer of firearm to a prohibited person)
- 18 U.S.C. 922(a)(6) (False statement as to material fact to FFL)
- 21 U.S.C. 841(a)(1) (manufacture, dispense, disperse a controlled substance)

FACEBOOK INFORMATION GENERALLY

94. Facebook owns and operates a free-access social networking website of the same name that can be accessed at <http://www.facebook.com>. Facebook allows its users to establish accounts with Facebook, and users can then use their accounts to share written news, photographs, videos, and other information with other Facebook users, and sometimes with the general public.

95. Facebook asks users to provide basic contact and personal identifying information to Facebook, either during the registration process or thereafter. This information may include the user's full name, birth date, gender, contact e-mail

addresses, Facebook passwords, Facebook security questions and answers (for password retrieval), physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers. Facebook also assigns a user identification number to each account.

96. Facebook users may join one or more groups or networks to connect and interact with other users who are members of the same group or network. Facebook assigns a group identification number to each group. A Facebook user can also connect directly with individual Facebook users by sending each user a "Friend Request." If the recipient of a "Friend Request" accepts the request, then the two users will become "Friends" for purposes of Facebook and can exchange communications or view information about each other. Each Facebook user's account includes a list of that user's "Friends" and a "News Feed," which highlights information about the user's "Friends," such as profile changes, upcoming events, and birthdays.

97. Facebook users can select different levels of privacy for the communications and information associated with their Facebook accounts. By adjusting these privacy settings, a Facebook user can make information available only to himself or herself, to particular Facebook users, or to anyone with access to the Internet, including people who are not Facebook users. A Facebook user can also create "lists" of Facebook friends to facilitate the application of these privacy settings. Facebook accounts also include other account settings that users can adjust to control, for example, the types of notifications they receive from Facebook.

98. Facebook users can create profiles that include photographs, lists of personal interests, and other information. Facebook users can also post “status” updates about their whereabouts and actions, as well as links to videos, photographs, articles, and other items available elsewhere on the Internet. Facebook users can also post information about upcoming “events,” such as social occasions, by listing the event’s time, location, host, and guest list. In addition, Facebook users can “check in” to particular locations or add their geographic locations to their Facebook posts, thereby revealing their geographic locations at particular dates and times. A particular user’s profile page also includes a “Wall,” which is a space where the user and his or her “Friends” can post messages, attachments, and links that will typically be visible to anyone who can view the user’s profile.

99. Facebook allows users to upload photos and videos, which may include any metadata such as location that the user transmitted when s/he uploaded the photo or video. It also provides users the ability to “tag” (i.e., label) other Facebook users in a photo or video. When a user is tagged in a photo or video, he or she receives a notification of the tag and a link to see the photo or video. For Facebook’s purposes, the photos and videos associated with a user’s account will include all photos and videos uploaded by that user that have not been deleted, as well as all photos and videos uploaded by any user that have that user tagged in them.

100. Facebook users can exchange private messages on Facebook with other users. These messages, which are similar to e-mail messages, are sent to the recipient’s “Inbox” on Facebook, which also stores copies of messages sent by the recipient, as well

as other information. Facebook users can also post comments on the Facebook profiles of other users or on their own profiles; such comments are typically associated with a specific posting or item on the profile. In addition, Facebook has a Chat feature that allows users to send and receive instant messages through Facebook. These chat communications are stored in the chat history for the account. Facebook also has a Video Calling feature, and although Facebook does not record the calls themselves, it does keep records of the date of each call.

101. If a Facebook user does not want to interact with another user on Facebook, the first user can “block” the second user from seeing his or her account.

102. Facebook has a “like” feature that allows users to give positive feedback or connect to particular pages. Facebook users can “like” Facebook posts or updates, as well as webpages or content on third-party (*i.e.*, non-Facebook) websites. Facebook users can also become “fans” of particular Facebook pages.

103. Facebook has a search function that enables its users to search Facebook for keywords, usernames, or pages, among other things.

104. Each Facebook account has an activity log, which is a list of the user’s posts and other Facebook activities from the inception of the account to the present. The activity log includes stories and photos that the user has been tagged in, as well as connections made through the account, such as “liking” a Facebook page or adding someone as a friend. The activity log is visible to the user but cannot be viewed by people who visit the user’s Facebook page.

105. Facebook Notes is a blogging feature available to Facebook users, and it enables users to write and post notes or personal web logs (“blogs”), or to import their blogs from other services, such as Xanga, LiveJournal, and Blogger.

106. The Facebook Gifts feature allows users to send virtual “gifts” to their friends that appear as icons on the recipient’s profile page. Gifts cost money to purchase, and a personalized message can be attached to each gift. Facebook users can also send each other “pokes,” which are free and simply result in a notification to the recipient that he or she has been “poked” by the sender.

107. Facebook also has a Marketplace feature, which allows users to post free classified ads. Users can post items for sale, housing, jobs, and other items on the Marketplace.

108. In addition to the applications described above, Facebook also provides its users with access to thousands of other applications (“apps”) on the Facebook platform. When a Facebook user accesses or uses one of these applications, an update about that the user’s access or use of that application may appear on the user’s profile page.

109. Some Facebook pages are affiliated with groups of users, rather than one individual user. Membership in the group is monitored and regulated by the administrator or head of the group, who can invite new members and reject or accept requests by users to enter. Facebook can identify all users who are currently registered to a particular group and can identify the administrator and/or creator of the group. Facebook uses the term “Group Contact Info” to describe the contact information for

the group's creator and/or administrator, as well as a PDF of the current status of the group profile page.

110. Facebook uses the term "Neoprint" to describe an expanded view of a given user profile. The "Neoprint" for a given user can include the following information from the user's profile: profile contact information; News Feed information; status updates; links to videos, photographs, articles, and other items; Notes; Wall postings; friend lists, including the friends' Facebook user identification numbers; groups and networks of which the user is a member, including the groups' Facebook group identification numbers; future and past event postings; rejected "Friend" requests; comments; gifts; pokes; tags; and information about the user's access and use of Facebook applications.

111. Facebook also retains Internet Protocol ("IP") logs for a given user ID or IP address. These logs may contain information about the actions taken by the user ID or IP address on Facebook, including information about the type of action, the date and time of the action, and the user ID and IP address associated with the action. For example, if a user views a Facebook profile, that user's IP log would reflect the fact that the user viewed the profile, and would show when and from what IP address the user did so.

112. Social networking providers like Facebook typically retain additional information about their users' accounts, such as information about the length of service (including start date), the types of service utilized, and the means and source of any payments associated with the service (including any credit card or bank account

number). In some cases, Facebook users may communicate directly with Facebook about issues relating to their accounts, such as technical problems, billing inquiries, or complaints from other users. Social networking providers like Facebook typically retain records about such communications, including records of contacts between the user and the provider's support services, as well as records of any actions taken by the provider or user as a result of the communications.

113. As explained herein, information stored in connection with a Facebook account may provide crucial evidence of the "who, what, why, when, where, and how" of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or alternatively, to exclude the innocent from further suspicion. In my training and experience, a Facebook user's "Neoprint," IP log, stored electronic communications, and other data retained by Facebook, can indicate who has used or controlled the Facebook account. This "user attribution" evidence is analogous to the search for "indicia of occupancy" while executing a search warrant at a residence. For example, profile contact information, private messaging logs, status updates, and tagged photos (and the data associated with the foregoing, such as date and time) may be evidence of who used or controlled the Facebook account at a relevant time. Further, Facebook account activity can show how and when the account was accessed or used. For example, as described herein, Facebook logs the Internet Protocol (IP) addresses from which users access their accounts along with the time and date. By determining the physical location associated with the logged IP addresses, investigators can understand the chronological and geographic context of the account access and use

relating to the crime under investigation. Such information allows investigators to understand the geographic and chronological context of Facebook access, use, and events relating to the crime under investigation. Additionally, Facebook builds geo-location into some of its services. Geo-location allows, for example, users to “tag” their location in posts and Facebook “friends” to locate each other. This geographic and timeline information may tend to either inculcate or exculpate the Facebook account owner. Last, Facebook account activity may provide relevant insight into the Facebook account owner’s state of mind as it relates to the offense under investigation. For example, information on the Facebook account may indicate the owner’s motive and intent to commit a crime (e.g., information indicating a plan to commit a crime), or consciousness of guilt (e.g., deleting account information in an effort to conceal evidence from law enforcement).

114. Therefore, the computers of Facebook are likely to contain all the material described above, including stored electronic communications and information concerning subscribers and their use of Facebook, such as account access information, transaction information, and other account information.

IV. INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED

115. I anticipate executing this warrant under the Electronic Communications Privacy Act, in particular 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A), by using the warrant to require Facebook to disclose to the government copies of the records and other information (including the content of communications) particularly described in Section I of Attachment B. Upon receipt of the information described in Section I of

Attachment B, government-authorized persons will review that information to locate the items described in Section II of Attachment B.

V. CONCLUSION

116. Based on the foregoing, I request that the Court issue the prored search warrant.

117. This Court has jurisdiction to issue the requested warrant because it is “a court of competent jurisdiction” as defined by 18 U.S.C. § 2711. 18 U.S.C. §§ 2703(a), (b)(1)(A) & (c)(1)(A). Specifically, the Court of the Eastern District of WI is a district court of the United States that has jurisdiction over the offense(s) being investigated, 18 U.S.C. § 2711(3)(A)(i). Pursuant to 18 U.S.C. § 2703(g), the presence of a law enforcement officer is not required for the service or execution of this warrant.

ATTACHMENT A

Property to Be Searched:

This warrant applies to information associated with:

This warrant applies to information between January 1, 2009 and present date associated with the following Facebook pages: Facebook Username: Damo Cash, Facebook User ID: 100000963750382, URL: <https://www.facebook.com/damo.cash.7>

ATTACHMENT B

Particular Things to be Seized:

I. Information to be disclosed by Facebook

To the extent that the information described in Attachment A is within the possession, custody, or control of Facebook, including any messages, records, files, logs, or information that have been deleted but are still available to Facebook, or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Facebook is required to disclose the following information to the government for each user ID listed in Attachment A:

- a. All contact and personal identifying information, including: full name, user identification number, birth date, gender, contact e-mail addresses, Facebook passwords, Facebook security questions and answers, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers.
- b. All activity logs for the account and all other documents showing the user's posts and other Facebook activities;
- c. All photos uploaded by that user ID and all photos uploaded by any user that have that user tagged in them;
- d. All profile information; News Feed information; status updates; links to videos, photographs, articles, and other items; Notes; Wall postings; friend lists, including the friends' Facebook user identification numbers;

- groups and networks of which the user is a member, including the groups' Facebook group identification numbers; future and past event postings; rejected "Friend" requests; comments; gifts; pokes; tags; and information about the user's access and use of Facebook applications;
- e. All other records of communications and messages made or received by the user, including all private messages, chat history, video calling history, and pending "Friend" requests;
 - f. All "check ins" and other location information;
 - g. All IP logs, including all records of the IP addresses that logged into the account;
 - h. All records of the account's usage of the "Like" feature, including all Facebook posts and all non-Facebook webpages and content that the user has "liked";
 - i. All information about the Facebook pages that the account is or was a "fan" of;
 - j. All past and present lists of friends created by the account;
 - k. All records of Facebook searches performed by the account;
 - l. All information about the user's access and use of Facebook Marketplace;
 - m. The types of service utilized by the user;
 - n. The length of service (including start date) and the means and source of any payments associated with the service (including any credit card or bank account number);

- o. All privacy settings and other account settings, including privacy settings for individual Facebook posts and activities, and all records showing which Facebook users have been blocked by the account;
- p. All records pertaining to communications between Facebook and any person regarding the user or the user's Facebook account, including contacts with support services and records of actions taken.

II. Information to be seized by the government

All information described above in Section I that constitutes fruits, evidence and instrumentalities of violations of 18 U.S.C. 371 (conspiracy to sell or transfer firearms to prohibited persons), 18 U.S.C. 922(a)(6) (any person in acquisition of any firearm knowingly furnish a false written or oral statement intended to deceive the dealer), 18 U.S.C. Section 922(g) (possession of firearm by a prohibited person, drug user), 18 U.S.C. 922(d)(9) (sale or transfer of firearm to a prohibited person), 18 U.S.C. 922(a)(6) (false statement as to material fact to FFL), 21 U.S.C. 841(a)(1) (manufacture, dispense, disperse a controlled substance), since January 1, 2009, for each user ID identified on Attachment A, information pertaining to the following matters:

- (a) The relevant offense conduct, any preparatory steps taken in furtherance of the scheme, communications between the suspect and others related to the relevant offense conduct in the above-listed crimes;
- (b) Evidence indicating how and when the Facebook account was accessed or used, to determine the chronological and geographic context of account

access, use, and events relating to the crime under investigation and to the Facebook account owner;

- (c) Evidence indicating the Facebook account owner's state of mind as it relates to the crime under investigation;
- (d) The identity of the person(s) who created or used the user ID, including records that help reveal the whereabouts of such person(s).
- (e) The identity of the person(s) who communicated with the user ID about matters relating to relevant offense conduct of the above-listed crimes, including records that help reveal their whereabouts.
- (f) Based on the forgoing, I request that the Court issue the proposed search warrant based on the aforementioned facts.